



IFW

Docket No. VTN5001CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Osman Rathore, et al.

Serial No. : 10/715,745

Art Unit:

Filed : November 18, 2003

Examiner:

For : ANTIMICROBIAL LENSES DISPLAYING EXTENDED EFFICACY,  
PROCESSES TO PREPARE THEM AND METHODS OF THEIR USE

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June 3, 2004

(Date of Deposit)

Kathy L. Willan

(Name of applicant, assignee, or Registered Representative)

*Kathy L. Willan*  
(Signature)

June 3, 2004

(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e)  
(attached); or
- ☐ Please charge Deposit Account No. 10-  
0750/ / the fee of \$180.00 as set forth  
in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not

enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☐ There are no listed references which are not in the English language.

☒ The relevance of those listed references which are not in the English language is as follows: Machine translations to English are included with the documents.

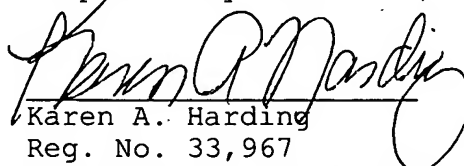
☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/VTN5001CIP/KAH. This form is submitted in triplicate.

Respectfully submitted,

  
Karen A. Harding  
Reg. No. 33,967  
Attorney for Applicants

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DATED: June 3, 2004



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 8

Application Number	10715,745
Filing Date	November 18, 2003
First Named Inventor	Osman Rathore et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	VTN5001CIP

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		3,408,429		Wichterle	10-29-1968	
		3,660,545		Wichterle	05-02-1972	
		3,808,178		Gaylord	04-30-1974	
		4,113,224		Clark et al.	09-12-1978	
		4,120,570		Gaylord	10-17-1978	
		4,136,250		Mueller	01-23-1979	
		4,139,513		Tanaka et al.	02-13-1979	
		4,139,692		Tanaka et al.	02-13-1979	
		4,153,641		Deichert et al.	05-08-1979	
		4,182,822		Chang	01-08-1980	
		4,189,546		Deichert et al.	02-19-1980	
		4,197,266		Clark et al.	04-08-1980	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		EP	1050314	A1	Healthshield Technologies L.L.C.	11-08-2000		
		EP	406161	B1	Ciba-Geigy	02-22-1995		
		WO	9421698	A1	Bausch & Lomb	09-29-1994		
		WO	0022459	A1	Pharmacia & Upjohn	04-20-2000		
		WO	0022460	A1	Pharmacia & Upjohn	04-20-2000		
		WO	0026698	A1	Allergan Sales, Inc.	05-11-2000		
		WO	02/62402	A1	Johnson & Johnson Vision Care, Inc.	08-15-2002		

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SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2 of 8

<b>Application Number</b>	10/715,745
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<b>First Named Inventor</b>	Osman Rathore et al.
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		Number	Kind Code <sup>2</sup> (if known)			
		4,254,248		Friends et al.	03-03-1981	
		4,259,467		Keogh et al.	03-31-1981	
		4,260,725		Keogh et al.	04-07-1981	
		4,261,875		LeBoeuf	04-14-1981	
		4,276,402		Chromeczek et al.	06-30-1981	
		4,301,012		Puckett	11-17-1981	
		4,327,203		Deichert et al.	04-27-1982	
		4,330,383		Ellis et al.	05-18-1982	
		4,341,889		Deichert et al.	07-27-1982	
		4,343,927		Chang	08-10-1982	
		4,355,147		Deichert et al.	10-19-1982	
		4,450,264		Cho	05-22-1984	

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		WO	03/022321	A2	Johnson & Johnson Vision Care, Inc.	03-20-2003		
		WO	03/11351	A2	Johnson & Johnson Vision Care, Inc.	02-13-2003		
		WO	9927978	A1	Seed Co. Hoya Healthcare Corporation	06-10-1999		
		WO	9929750	A1	Essilor International	06-17-1999		
		JP	6123860		Tokyo Keikaku:KK	10-09-1992		
		JP	2000010055	~	Seed Co. LTD.	06-19-1998		
		JP	2000016905	/	Tokyo Keikaku:KK	07-01-1998		

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Sheet 3 of 8

<b>Application Number</b>	10/715,745
<b>Filing Date</b>	November 18, 2003
<b>First Named Inventor</b>	Osman Rathore et al.
<b>Group Art Unit</b>	
<b>Examiner Name</b>	
<b>Attorney Docket Number</b>	VTN5001CIP

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		Number	Kind Code <sup>2</sup> (if known)			
		4,463,149		Ellis	07-31-1984	
		4,486,577		Mueller et al.	12-04-1984	
		4,495,313		Larsen	01-22-1985	
		4,525,563		Shibata et al.	06-25-1985	
		4,543,398		Bany et al.	09-24-1985	
		4,605,712		Mueller et al.	08-12-1986	
		4,640,489		Larsen	02-03-1987	
		4,661,575		Tom	04-28-1987	
		4,680,336		Larsen	07-14-1987	
		4,703,097		Wingler et al.	10-27-1987	
		4,711,943		Harvey III	12-08-1987	
		4,725,277		Bissonette	02-16-1988	

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		JP	2000107277	//	Nidek Co Ltd.	10-01-1998		

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 4 of 8

<b>Application Number</b>	10/715,745
<b>Filing Date</b>	November 18, 2003
<b>First Named Inventor</b>	Osman Rathore et al.
<b>Group Art Unit</b>	
<b>Examiner Name</b>	
<b>Attorney Docket Number</b>	VTN5001CIP

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>4</sup> (if known)			
		4,731,079		Stoy	03-15-1988	
		4,837,289		Mueller et al.	06-06-1989	
		4,863,464		Dusek	09-05-1989	
		4,871,785		Froix	10-03-1989	
		4,872,876		Smith	10-10-1989	
		4,889,664		Kindt-Larsen et al.	12-26-1989	
		4,954,586		Toyochima et al.	09-04-1990	
		4,954,587		Mueller	09-04-1990	
		4,973,493		Guire	11-27-1990	
		5,010,141		Mueller	04-23-1991	
		5,034,461		Lai et al.	07-23-1991	
		5,039,459		Kindt-Larsen et al.	08-13-1991	

[illegible]Date  
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1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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Sheet 5 of 8

<i>Application Number</i>	10/715,745
<i>Filing Date</i>	November 18, 2003
<i>First Named Inventor</i>	Osman Rathore et al.
<i>Group Art Unit</i>	
<i>Examiner Name</i>	
<i>Attorney Docket Number</i>	VTN5001CIP

## U.S. PATENT DOCUMENTS

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		Number	Kind Code <sup>2</sup> (if known)			
		5,057,578		Spinelli	10-15-1991	
		5,070,215		Bambury et al.	12-03-1991	
		5,135,297		Valint, Jr.	08-04-1992	
		5,275,838		Merrill	01-04-1994	
		5,314,960		Spinelli	05-24-1994	
		5,336,797		McGee et al.	08-09-1994	
		5,346,946		Yokoyama et al.	09-13-1994	
		5,358,995		Lai et al.	10-25-1994	
		5,371,147		Spinelli et al.	12-06-1994	
		5,387,632		Lai et al.	02-07-1995	
		5,451,617		Lai et al.	09-19-1995	
		5,486,579		Lai et al.	01-23-1996	

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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**INFORMATION DISCLOSURE  
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Sheet 6 of 8

<b>Application Number</b>	10/715,745
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<b>First Named Inventor</b>	Osman Rathore et al.
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		Number	Kind Code <sup>2</sup> (if known)			
		5,710,302		Kunzler et al.	01-20-1998	
		5,714,557		Kunzler et al.	02-03-1998	
		5,760,100		Nicolson et al.	06-02-1998	
		5,776,999		Nicolson et al.	09-07-1998	
		5,779,943		Enns et al.	07-14-1998	
		5,789,461		Nicolson et al.	08-04-1998	
		5,807,944		Hirt et al.	09-15-1998	
		5,820,918		Ronan et al.	10-13-1998	
		5,849,811		Nicolson et al.	12-15-1998	
		5,944,853				
		5,908,906		Kunzler et al.	06-01-1999	
		5,958,440		Burrell et al.	09-28-1999	

**FOREIGN PATENT DOCUMENTS**

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Sheet 7 of 8

<b>Application Number</b>	10/715,745
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		5,962,548		Vanderlaan	10-05-1999	
		5,965,631		Nicolson et al.	10-12-1999	
		5,981,615		Meijs et al.	11-09-1999	
		5,981,675		Valint, Jr. et al.	11-09-1999	
		5,998,498		Vanderlaan et al.	12-07-1999	
		6,020,445		Vanderlaan, et al.	02-01-2000	
		6,039,913		Hirt et al.	03-21-2000	
		6,087,415		Vanderlaan, et al.	07-11-2000	
		6,193,369		Valint, Jr. et al.	02-27-2001	
		6,200,626		Grobe, III et al.	03-13-2001	
		6,213,604		Valint, Jr. et al.	04-10-2001	

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(use as many sheets as necessary)

Sheet 8 of 8

<b>Application Number</b>	10/715,745
<b>Filing Date</b>	November 18, 2003
<b>First Named Inventor</b>	Osman Rathore et al.
<b>Group Art Unit</b>	
<b>Examiner Name</b>	
<b>Attorney Docket Number</b>	VTN5001CIP

[illegible]

Examiner Signature		Date Considered	
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